

MAINE STATE LEGISLATURE

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No. 835

H.P. 634

House of Representatives, February 23, 2007

An Act To Encourage School Administrative Units To Collaborate with Other School Administrative Units

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SILSBY of Augusta.
Cosponsored by Senator MITCHELL of Kennebec and
Representatives: BARSTOW of Gorham, BERRY of Bowdoinham, CLEARY of Houlton,
CONNOR of Kennebunk, CROCKETT of Augusta, FAIRCLOTH of Bangor, NORTON of
Bangor, TRINWARD of Waterville.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **CONCEPT DRAFT**
3 **SUMMARY**

4 This bill is a concept draft pursuant to Joint Rule 208.

5 The bill proposes to provide the opportunity for current school administrative units to
6 form regional cooperatives to aid in the efficient delivery of educational services while
7 maintaining a high-quality educational system for students, teachers, community
8 members and schools. The bill would balance the independence of the legislative bodies
9 of school administrative units and local control with the efficient delivery of
10 administrative services for schools while enhancing the educational programs provided
11 for prekindergarten to grade 12 public education students in the State.

12 Under this bill, school administrative units would form regional cooperatives that
13 serve at least 2,800 students. The bill would also establish the Efficient Delivery of
14 Educational Services Commission, referred to in this concept draft as “the commission,”
15 whose responsibilities include management of the fund, along with supporting, approving
16 and monitoring the progress of the regional cooperatives. The regional cooperatives
17 would apply to the commission for approval and financial incentives through the existing
18 Fund for the Efficient Delivery of Educational Services, established under the Maine
19 Revised Statutes, Title 20-A, section 15754. The commission would implement
20 reorganization and cost savings for school administrative units that do not participate in a
21 regional cooperative and for school administrative units that are unable to achieve the
22 cost-savings benchmarks established by the commission for regional cooperatives.

23 **Key Elements:**

24 1. A school administrative unit may enter into an agreement with another school
25 administrative unit or units to form a regional cooperative to increase efficiency and
26 lower costs of delivering public education for prekindergarten to grade 12 students and to
27 provide for equitable, high-quality education for all students.

28 2. School administrative units would develop regional cooperatives that are
29 contiguous and advantageous to the community and their delivery of an educational
30 system for prekindergarten to grade 12 students.

31 3. The commission would be formed to support, approve, and monitor regional
32 cooperatives.

33 A. The membership of the commission would include the Commissioner of
34 Education, the Commissioner of Administrative and Financial Services, two members
35 of the Legislature who would be appointed by the Speaker of the House and the
36 President of the Senate, a member of the State Board of Education, four members
37 representing public school officials and four members of the general public appointed
38 by the Governor.

1 B. The commission would approve regional cooperatives and offer financial
2 incentives to regional cooperatives through the Fund for the Efficient Delivery of
3 Educational Services.

4 C. The commission would define the expenditures to be included in the system
5 administration cost category established in Title 20-A, section 15680 and would
6 establish benchmarks for the level of per-pupil cost savings to be achieved by school
7 administrative units for the 2008-2009 and 2010-2011 legislative biennia. The
8 benchmarks selected by the commission would be based on either the national
9 average or the average of peer states of per-pupil expenditures for the system
10 administration cost category. The definition of the system administration cost
11 category developed by the commission would include, but would not be limited to,
12 the following:

- 13 (1) Financial management functions;
- 14 (2) Administrative personnel;
- 15 (3) Transportation;
- 16 (4) Facilities and maintenance;
- 17 (5) Human resource management;
- 18 (6) Supplies and equipment;
- 19 (7) Fuel and utilities;
- 20 (8) Specialized education;
- 21 (9) School nutrition programs; and
- 22 (10) Professional development.

23 D. The commission would make an annual recommendation to the Commissioner of
24 Education for the enactment of a per-pupil expenditure rate for the distribution of
25 state subsidy under the Essential Programs and Services Funding Act over this 4-year
26 period in order to ensure that the per-pupil expenditures for the system administration
27 cost category established in Title 20-A, section 15680 would be reduced each year
28 until this rate matches the benchmark for the per-pupil expenditures for the system
29 administration cost category selected by the commission by fiscal year 2010-11.

30 E. The commission would also provide models of efficient and effective governance
31 and administrative structures that promote student achievement, including data that
32 can be used by school boards, superintendents and school administrative units that
33 participate in existing or emerging regional cooperatives.

34 F. The commission would be required to submit a quarterly report to the Legislature
35 and the Governor on the progress of regional cooperatives. The commission would
36 submit a report on the educational mandates that are in statute that contribute to costs
37 of education at state and local levels and would make recommendations to the
38 Legislature.

39 4. In order for an entity to qualify for approval by commission as a regional
40 cooperative, the entity must have a minimum of 2,800 students and establish a regional

1 plan to generate cost savings in the delivery of public education services from
2 prekindergarten to grade 12 that contains:

- 3 A. A mission statement and related cost-saving goals and objectives;
- 4 B. A plan that establishes a governance body and organization;
- 5 C. Specific cost-saving targets for per-pupil system administration that meet the per-
6 pupil expenditures for the system administration cost category established in Title 20-
7 A, section 15680 and the benchmarks selected by the commission for the per-pupil
8 expenditures for the system administration cost category;
- 9 D. A plan for reimbursement of the savings realized through implementation of the
10 regional plan to taxpayers;
- 11 E. A plan for the regional cooperative to report annually to the citizenry on the
12 ongoing school improvement process and the school administrative unit's updated
13 comprehensive educational plan; and
- 14 F. A plan to review and ensure the sustainability of the cost effectiveness of local
15 schools.

16 5. The commission may approve some extreme cases of geographic hardship for
17 entities with less than the approved number of students.

18 6. School administrative units with current student populations of at least 2,800
19 would not be required to form regional cooperatives, but would be required to comply
20 with the annual per-pupil expenditure benchmarks established by the commission for the
21 system administration cost category. If the commission determines that such a school
22 administrative unit fails to meet these benchmarks, then the commission would develop
23 and implement a reorganization and cost-savings plan for the school administrative unit.

24 7. If a school administrative unit has not entered into a regional cooperative by June
25 2009 or if the commission determines that school administrative unit has failed to meet
26 the annual per-pupil expenditure benchmarks established by the commission for the
27 system administration cost category, then the commission would develop and implement
28 a reorganization and cost-savings plan for the school administrative unit.

29 **Timeline:**

30 From September 2007 to June 2008: School administrative units seek input from the
31 public about regional cooperatives and begin planning regional cooperatives.

32 By June 2008: School administrative units form regional cooperatives and apply to the
33 commission.

34 By July 2008: Commission approves regional cooperatives.

35 By June 2009: Regional cooperatives implement plans, make adjustments and report cost
36 savings.

37 By July 2009: Commission implements reorganization and cost-saving plans for school
38 administrative units that have not entered into a regional cooperative or that have failed to

- 1 meet the annual per-pupil expenditure benchmarks established by the commission for the
- 2 system administration cost category.
- 3 By May 2010: Regional cooperatives realign work, plan for sustainability and report
- 4 progress.